

**City of Miami Beach - City Commission Meeting**  
**Commission Chambers, 3rd Floor, City Hall**  
**1700 Convention Center Drive**  
**October 15, 2003**

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Mayor David Dermer  
 Vice-Mayor Matti Herrera Bower  
 Commissioner Simon Cruz  
 Commissioner Luis R. Garcia, Jr.  
 Commissioner Saul Gross  
 Commissioner Jose Smith Absent  
 Commissioner Richard L. Steinberg

City Manager Jorge M. Gonzalez  
 City Attorney Murray H. Dubbin  
 City Clerk Robert E. Parcher

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**ATTENTION ALL LOBBYISTS**

**Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's Office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.**

- PA1 Cert. of Apprec./Capt. Michael Auch, MBPD, Graduate of FBI Academy, Class No. 214. (Garcia)
- PA2 Proclamation Declaring September 15 - October 15, 2003, "Hispanic Heritage Month."
- PA3 Cert. of Apprec./"At Your Service" Employee Of The Month Award For September.
- PA4 Cert. of Completion/Participants of City's Community Emergency Response Team.
- PA5 Cert. of Apprec./Willie Anderson, for 45 Years of Employment With the City of Miami Beach.
- PA6 **New Item:** Proc. Recognizing Firefighters' Efforts - "Muscular Dystrophy Association." (Dermer)
- PA7 **New item:** Proclamation Presented to "Miami Duck Tours" for Innovative Tourist Attraction. (Cruz)
- PA8 **New item:** Cert. of Apprec./Public Works Department.(Cruz)
  
- C2A **W-** BA 56-02/03, Preventive Maintenance Agreement for Emergency Generators, \$28,188.
  
- C4A Referral to Community Affairs Committee of Cultural Facilities Master Plan.11
- C4B Ref. to Finance & Citywide Projects Committee/Policies - Homeless, Vagrants & Prostitutes.(Cruz)
  
- C6A Report of the G.O. Bond & Oversight Committee Meeting of September 15, 2003.
- C6B Report of the G.O. Bond & Oversight Committee Meeting of October 8, 2003.
- C6C Report of the Finance & Citywide Projects Committee Meeting of September 16, 2003.
  
- C7A Elect Commissioner Jose Smith As Vice-Mayor for a Term Pending Elections &/or Runoff.
- C7B Authorize Purchase of 204 Chairs from Fritz Hansen for the Regional Library - \$49,530.
- C7C Approve Amend. No. 3 w/ EDAW – Design of Flamingo Neighborhood ROW Imp. Project.
- C7D Approve Amend. No. 3 w/ Reynolds, Smith & Hills for La Gorce ROW Infrastructure Project.
- C7E Approve Amendment to Lease Agmt w/ MBJCC – 4221-4229 Pine Tree Dr.
- C7F Setting Public Hearing for Nov. 25, '03 - Uses of Local Law Enforcement Block Grant Fund
- C7G Ratify Three Year Labor Agreement w/ GSA of Fla/OPEIU Local 100 (10/01/03 – 09/30/06).
- C7H Issue SO to Siemens for FY 03/04 for Citywide Maintenance Phone Services - \$183,000.
- C7I Declare Citywide Parking Emergency on Various Dates for Various Events through 2004.
- C7J Set Public Hearing – Re: Establishment of Restricted Residential Zones (Lake Pancoast Neigh).
- C7K Execute Mutual Aid Agreement w/ City of Miami for Law Enforcement Operations & Mutual Aid.
- C7L BA 60-02/03, Award Contract -Skyline Corp., for Palm Island Guardhouse - \$111,000.

- C7M Ratify SO w/ Luis Roca, Inc. to Provide Services in the Byron Carlyle Theater - \$31,736.
- C7N Ratify Contract for Installation of Fire Alarm System in the Byron Carlyle Theater - \$56,305.
- C7O Ratify PO for Theater Stage Lighting Equipment for Byron Carlyle Theater, \$58,300.
- C7P Authorize & Approp. Fund Transfer for Evaluation Of Rapid Transit Options Study. - \$159,957.
- C7Q Authorize Funds to Complete the "Circle" for North Shore Park Youth Center - \$27,650.

### REGULAR AGENDA

- R5A **W-11:30 a.m. 2<sup>nd</sup> Rdg**, Amend Ordinance 1605, City Attorney's Office Unc. Employees Salary.
- R5B **11:00 a.m. 2<sup>nd</sup> Rdg**, Amend Code, "Definitions"; "Parades," Prohibiting Certain Activities.
- R5C **11:45 a.m. 2<sup>nd</sup> Rdg**, Amend Code "Taxation," "Occupational License Tax."
- R5D **1<sup>st</sup> Rdg**, Amend Code, "Permitted Accessory Uses" for Non-Contiguous Residential Bldgs. **5/7**
- R5E **10:30 a.m. 1<sup>st</sup> Rdg**, Revisions to Parking Lots or Regulations on Certain Lots (Ocean Dr.) **5/7**
- R5F **10:45 a.m. 2<sup>nd</sup> Rdg**, Amend Code "Development Regulations/Altos del Mar Historic District." **5/7**
- R7A **11:30 a.m.** Adopt Biscayne Point Neighborhood BODR for ROW Improvement Project.
- R7B **11:35 p.m.** Adopt Venetian Islands Neighborhood BODR for ROW Improvement Project.
- R7C **11:15 a.m.** Grant Cert. of Appropriateness for Demolition of Fire Station No. 4.
- R7D **1:55 p.m.** Issue RFQ for Services for the Rotunda Restoration Project.
- R7E **11:40 a.m.** Negotiate w/ Ric-Man Int'l/Design Services; Washington Ave. Improvement Project.
- R7F **5:15 p.m.** Authorize Exec. of Management Services Agmt for MBCC & TOPA for 3-Yr Term.
- R7G **3:00 p.m.** Execute LOA w/ Onboard Media to Produce "Welcome to Miami Beach."
- R7H Execute Lease Agmt w/ Parkview Point Condo for City's PSC Radio/Antenna Site Construction.
- R7I Execute Mgmt Agmt w/ Prof. Course Mgmt II for Mgmt & Operation of Miami Beach Golf Course.
- R7J Authorize City Manager/Designee to Award/Reject Bids & Contracts, 10/15/03 - 11/25/03.
- R7K Approve Renewal of Franchise Agreement w/ (4) Existing Waste Contractors.
- R7L **5:00 p.m.** Authorize Renewal of Service Agreement with BFI for One Year (11/1/03 – 10/31/04).
- R7M Execute Agmt w/ Salvation Army, Miami Rescue Mission, MDC Homeless Assist Center, etc. **5/7**
  
- R9A Board and Committee Appointments.
- R9B1 **1:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.
- R9B2 **5:30 p.m.** Dr. Stanley Sutnick Citizen's Forum.
  
- R9C Resolution Urging Against Increase of Development Intensities & Densities (Dermer)
- R9D **4:00 p.m.** Disc. re: Ordinance Creating the Ocean Rescue/Beach Safety Department. (Cruz)
- R9E **2:10 p.m.** Discussion on Settlement Agmt between Royal Palm Hotel & CMB. (Cruz)
- R9F1 Referral to Finance & Citywide Proj. Comm. – Dedicated Source of Funding for CAC. (Cruz)
- R9F2 Discussion re: Alternative Funds for the Cultural Arts Council. (Bower)
- R9G Discussion re: City's Commission Committees Resolutions. (Smith)
- R9H Discussion & Status Report on the Normandy Shores Park & Youth Center. (Smith)
- R9I Status Report On Wayfinding Signage Project.
- R9J **5:35 p.m.** Discussion Regarding The Traffic Situation on La Gorce and Pinetree Drive. (Bower)
- R9K Discussion Re: Ord. Amending Policy - Alcoholic Beverage Licenses/Adult Entertainment. (Cruz)

### CITY ATTORNEY REPORTS

- R10A **Noon Break**, Executive Session – West Side Partners & Eastcoast Line Development vs. CMB.

### REPORTS AND INFORMATIONAL ITEMS

- A. Parking Status Report.
- B. Status Report on Fire Station No. 2.
- C. Status Report on Fire Station No. 4.
- D. Status Report on North Shore Park & Youth Center.
- E. Report On Federal, State, County & Existing City Contracts For Renewal/Extensions (180 Days)
- F. Miami-Dade Homeless Trust Board Meeting Minutes of August 1, 2003. (Steinberg)

### REDEVELOPMENT AGENCY ITEMS - 10:00 A.M.

- 2A Report of Itemized Revenues/Expenditures of RDA for August 2003.

3A Authorize Executive Director to Award/Reject Bids & Contracts from 10/15 – 11/25/03.  
3B Status Report on Negotiations w/ RDP Royal Palm Hotel Partnership. ("RDP").  
Meeting called to order at 9:29:32 a.m.

Inspirational message given by Reverend Fermin Castaneda from the Sons of King Church.

Pledge of Allegiance led by Chief De Lucca.

**Times based on the digital recording in the City Clerk's Conference Room.**

**New item:**

Mayor Dermer introduced the Miami Beach Jazz Ensemble directed by Mr. Bringle Cidel, Band Director. Mr. Harvey Figueroa was introduced as the band coordinator.

**Addendum Items:** R7M, R9J, and R9K.

**ACTION:** Motion made by Vice-Mayor Bower to add item R7M as an emergency item to the agenda; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Smith.

**ACTION:** Motion made by Vice-Mayor Bower to add item R9J, as an emergency item to the agenda; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith.

**ACTION:** Motion made by Vice-Mayor Bower to add item R9K as an emergency item to the agenda; seconded by Commissioner Cruz. Discussion held. Vice-Mayor Bower withdrew her motion. **Item was not added to the agenda.**

**Supplemental Materials:** R7B (Resolution), and R7G (Resolution).

**New item:**

Josh Figueroa, Miami Beach Jazz Ensemble, played the National Anthem on the saxophone.

**PA - Presentations and Awards**

**9:31:57 a.m.**

PA1 Certificate Of Appreciation Presented To Captain Michael Auch, Miami Beach Police Department For His Recent Graduation From The Federal Bureau Of Investigation's Academy, Class No. 214.  
(Requested By Commissioner García)

**ACTION:** Certificate presented.

Commissioner Garcia recognized the efforts of the Miami Beach Police Department this past weekend and stated that this was a "tough weekend."

**9:56:06 a.m.**

PA2 Proclamation Declaring September 15 Through October 15, 2003, "Hispanic Heritage Month."  
(City Manager's Office)

**ACTION:** Proclamation presented.

Mayor Dermer stated that members of the community were honored during the Hispanic Heritage presentation.

Jorge Gonzalez, City Manager, added that every year City employees become more organized and the events are much better attended to celebrate our heritage. He stated that we should celebrate our diversity every day.

Liliam Hatfield spoke.

**New item:**

Jorge Gonzalez, City Manager, added that Liliam Hatfield did an excellent job substituting for Lilia Cardillo doing the agenda coordinator's function.

**9:34:34 a.m.**

PA3 Certificate Of Appreciation, "At Your Service" Employee Of The Month Award For September, 2003.  
(City Manager's Office)

**ACTION:** Certificate presented to Carlos Da Cruz from the Parks and Recreation Department.

Jorge Gonzalez, City Manager, stated that the "At Your Service Award" is part of the City's effort to better recognize good performance and it is premised on good customer service. He explained that candidates for this award can be nominated by City employees, residents and customers of the City of Miami Beach and they go through a screening process by previous recipients of this award. This is a judgment of your peers. He stated that this is a monthly award which includes a \$100 U. S. Savings Bond donated by Beach Bank and a free parking space in front of City Hall.

Kevin Smith, Parks and Recreation Director, stated that Carlos is the "poster child" of customer service and his right hand. He stated that Carlos is the friendliest employee he has ever had and he does his job with a smile.

Carlos Da Cruz stated that he takes great joy providing service and he is grateful to the City Commission and the Administration.

Commissioner Garcia stated that Carlos previously worked in the Procurement Department and he has always shown great customer service.

**9:42:12 a.m.**

PA4 Certificates Of Completion To Be Presented To The Participants Of The City's Community Emergency Response Teams.  
(Neighborhood Services)

**ACTION:** The following individuals were recognized: Willie Grant, Rosanna Almeida, Jaime DePaz, Juan Diaz, Lori Freedline (Miami Beach resident), Joey Daoud (High School student), Maria Ruiz, Mark Butcher (also a graduate from Neighborhood Leadership Academy and Miami Beach resident), Kevin Perkins, Beatriz Muñoz, Mercedes Davila, Janice Pye, Areanne Breedlove, Patricia Becerra, Laurel Hemmings, Scott Mutch, Armando Vega, Emil Cruze, Benita Argos, Joseph Lafontant, Gerald Goldstein (Former Miami Beach Firefighter and resident), Lisa Dixon, Emmanuel Bastos, George Castell, and Silvia Escobar .

Commissioner Garcia recognized Jorge Gonzalez, City Manager, for implementing this program, which was way over due.



**9:47:25 a.m.**

PA5 Certificate of Appreciation To Be Presented To Willie Anderson For 45 Years Of Employment With The City.

(Parks & Recreation)

**ACTION:** Certificate presented.

Kevin Smith, Parks and Recreation Department Director, stated that Mr. Anderson started to work for the City of Miami Beach in 1957. He has always addressed him respectfully as "Mr. Anderson" and further stated that Mr. Anderson has dedicated his life to the City and is deserving of this recognition.

Willie Anderson spoke.

**9:53:34 a.m.**

**New Item:**

PA6 Proclamation To Be Presented To The Muscular Dystrophy Association In Recognition of the Outstanding Efforts Of The Miami Beach Firefighters On Behalf Of The Muscular Dystrophy Association.

(Requested by Mayor Dermer)

**ACTION:** Proclamation presented.

Mayor Dermer stated he is proud to declare this day "Muscular Dystrophy Day."

Chief Floyd Jordan accepted the proclamation on behalf of the entire Fire Department.

**New Item:**

PA7 Proclamation To Be Presented To Miami Duck Tours For Pointing Out The Landmarks and Watermarks of Miami And Miami Beach In Their Interactive Tours.

(Requested by Commissioner Cruz and the Treister Murry Agency)

**ACTION:** Item deferred.

**10:01:01 a.m.**

**New Item:**

PA8 Certificate Of Appreciation To be Presented To The Public Works Department In Recognition Of Pubic Works Department's Timely And Professional Creation Of a Connecting Passageway Between The Boardwalk And The Path Behind Triton Towers.

(Requested by Commissioner Cruz)

**ACTION:** Commissioner Cruz stated that a couple of weeks ago Vice-Mayor Bower and Commissioner Garcia visited the Triton Towers Condominium for an association meeting and the residents were very upset about the entrance to the beach on 29<sup>th</sup> street. The Public Works Department was asked to do something immediately to alleviate the concerns of the residents. He stated that the Public Works staff took the brunt of a very difficult meeting and they did what needed to be done to resolve the situation. He explained that this is the type of response that the City should give credit to and take the time to acknowledge because it makes everyone look very good. He thanked everyone in Public Works, the City Manager, and Robert Middaugh, Assistant City Manager, because the City responded and the residents are happy. This response gave the residents a new appreciation of what City government can do for them when they come to the City.

Fred Beckmann, Public Works Director, stated that he takes great pride in accepting the certificate on behalf of the entire department. He recognized the staff, especially Mike Alvarez, who was the leader of this project.

Vice-Mayor Bower stated that due to the election the Commissioners are traveling the City and they also hear a lot of complaints about the conditions of the streets. She stated that the Administration needs to look at the area and see the condition of the streets and how they can be improved.

Jorge Gonzalez, City Manager, explained that he has been working with Fred Beckmann, Public Works Director, and through the Capital Improvement Program, which repairs some of the streets, but does not cover all of them. He explained that he has asked Mr. Beckmann to develop a "Roadway Maintenance Program," so the City can do repairs before the streets get unbearable and map out the different repairs needed so that the proper funds can be allocated. He explained that a good portion of the money that will be coming to the City from the ½ penny sales tax for transit will go for this purpose. The City is expected to receive about \$2 million a year and this will give a jump start to the repair of sidewalks and streets. **Fred Beckmann to handle.**

Vice-Mayor Bower stated that the condition of the roads is an issue of many complaints from the citizens. She stated that 15<sup>th</sup> St. going east towards Alton Road is in bad condition and also on 12<sup>th</sup> St. between Alton Road where the park ends. **Fred Beckmann to handle.**

Vice-Mayor Bower requested a copy of the map to make sure that there are no streets missing. **Fred Beckmann to handle.**

Fred Beckmann, Public Works Director, stated that CIP will provide a map of all the ongoing projects, and if a street is due to be completely redone within the next three years. they do not want to spend a lot of time and money in doing major repairs, but certainly will consider minor repairs when necessary. Also in this year's budget the department is purchasing a second asphalt truck so there will be noticeable improvements.

**10:12:35 a.m.**

**Announcements:**

**New item**

Mayor Dermer proclaimed October as "Breast Cancer Awareness Month."

**New item**

Jorge Gonzalez, City Manager, explained that October is "Breast Cancer Awareness Month", and is also an opportunity to bring awareness to all cancer survivors and individuals battling cancer. He recognized Joseph Johnson, Transportation Coordinator, who passed away recently from this disease, and who will be sorely missed. He added that Mount Sinai Hospital is offering educational programs and screening for City employees.

**10:15:23 a.m.**

**New Item**

Jorge Gonzalez, City Manager, announced that per City Commission's directive the City has Spanish language translation of all Commission meetings available and residents can view the City's program in Spanish live through SAP. With today's meeting in particular, an additional new process is being tried out, which will provide with Spanish language subtitles on a rebroadcast basis. The firm is a local firm that came up with an Emmy Award winning technology and they approached the City to make Miami Beach the first local government that tries this out. The City agreed on this meeting to see how it works, hopefully to increase the access to the residents, which is the ultimate goal.

**CONSENT AGENDA**

**ACTION:** Motion made by Commissioner Garcia to approve the Consent Agenda; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith.

**C2 - Competitive Bid Reports**

- C2A Request For Approval To Award Contracts To All Power Generators, Corp. As The Primary Vendor, And Condo Electric Motor Repair As The Secondary Vendor, In The Annual Not To Exceed Amount Of \$28,188, Pursuant To Invitation To Bid No. 56-02/03, For The Preventive Maintenance Agreement For Emergency Generators.

(Public Works)

**ACTION:** Withdrawn by the Administration.

Handout or reference materials

1. Fax letter from Jose G. Espinola, Vice-President, Condo Electric Motor Repair, Inc, to Jorge M. Gonzalez, City Manager, dated October 13, 2003

**C4 - Commission Committee Assignments**

- C4A Referral Of The Cultural Facilities Master Plan To The Community Affairs Committee.  
(Tourism & Cultural Development)

**ACTION: Item referred.** Mayra Buttacavoli to place on the agenda. Donna Shaw to handle.

- C4B Referral Of Current Policies Review Regarding Homeless, Vagrants And Prostitutes To The Finance And Citywide Projects Committee.  
(Requested By Commissioner Cruz)

**ACTION: Item referred.** Patricia Walker to place on the agenda. Chief De Lucca and Vivian Guzman to handle.

**C6 - Commission Committee Reports**

- C6A Report Of The General Obligation Bond And Oversight Committee Meeting Of September 15, 2003: 1) Presentation – FTAA Conference 2) Change Order Report; 3) Project Status Report: A) Update On Fire Station No. 2; B) Update On Fire Station No. 4; C) Update On Normandy Isle Park And Pool; 4) Informational Items: A) Updated Calendar Of Scheduled Community Meetings; B) Roles Of CIP Office And Program Management Staff; C) Letter To Commission Regarding North Shore Park And Youth Center.

(Capital Improvement Projects)

**ACTION: Written report submitted.**



**Item No. 1**

The Administration informed the Committee that the Free Trade Areas of the Americas (FTAA) Conference will take place in Miami from Sunday, November 15, 2003 through Friday, November 21, 2003. The venues will be the Inter-Continental Hotel (where all the dignitaries will stay and hold meetings) and the Hyatt Hotel. The conference is expected to draw anywhere from 20,000 to 70,000 demonstrators to the Miami area. At conferences like this elsewhere, small groups of demonstrators have resorted to acts of civil disobedience, vandalism and looting requiring police response. In preparation for the FTAA Conference, the City of Miami Beach Police Department will be implementing Alpha/Bravo staffing for the week, which means that all personnel will be working 12-hour shifts, and all days off will be cancelled.

The Committee was told that an operational plan will be in place detailing the police response to any occurrences related to the FTAA that develop within the City, and a traffic plan will be in place to re-route traffic in the event of any disruptions to major roadways leading into or out of the City, as well as local arteries. The biggest dates where demonstration is expected are Wednesday, November 18 and Thursday, November 19. Traffic is likely to be heavy in the I-95 and Biscayne Boulevard areas.

**Item No. 2.**

The Administration informed the Committee of change orders that had been approved since the last meeting.

**Item No. 3 (A)**

The Administration informed the Committee that Jasco, the Contractor for the Fire Station No. 2 project, was doing a good job with the water tank portion of the project to date, but that construction was not that far along.

**Item No. 3 (B)**

The Administration informed the Committee that the Historic Preservation Board (HPB) had voted on September 9, 2003 to issue a Certificate of Appropriateness to demolish Fire Station No. 4 by a vote of 4 to 3. At the September 10, 2003 City Commission meeting, the City Commission passed a Resolution setting a public hearing for October 15, 2003 to decide whether or not the City should approve the Certificate of Appropriateness. Although the City Commission does not have to follow this procedure for considering demolition of a historic City facility, it is the same procedure HPB uses when considering demolition of non-City-owned historic facilities. 100% complete Construction Documents were expected from the Architect by the end of September or the beginning of October for review and permitting by the City. It was anticipated that the project would be out to bid in December 2003, with construction to start hopefully in March 2004. See Agenda Item R7C.

**Item No. 3 (C)**

The Administration informed the Committee that the Contractor for the Normandy Isle Park and Pool had begun to address the issues with the pool deck slab, but that the issues with the pool bottom were being reviewed by attorneys.

**Item No. 4 (A)**

The updated calendar of scheduled Community Meetings was presented to the Committee but not reviewed. At the request of a Committee member, a memorandum outlining the roles of the CIP Office staff and the various Program Management staffs was provided to the Committee.

**Item No. 4 (B)**

A Committee member proposed that there be a separate committee established to come up with ideas of how to deal with problems on construction projects. It was suggested that the separate committee consist of one member of the General Obligation Bond Oversight Committee, a staff member from the City Attorney's Office, staff from the CIP Office, and the respective Program Managers. It was proposed that the committee meet for approximately 30 to 60 days, as needed, and

report results back to the General Obligation Bond Oversight Committee.

The Administration informed the Committee that the Administration was already planning to hold a work session with the City Commission and the General Obligation Bond Oversight Committee, jointly, to discuss the differences of construction work in the public sector versus the private sector, the problems the City faced when the current capital construction program first began, how those problems were resolved, and how the City may be able to do things better in the future. The suggestion of the Committee could be readily added to the planned workshop to create a more useful end product.

It was agreed that a separate work group would be established to brainstorm on solutions to issues faced on projects, and how things can be improved in the future, which would serve as preparation for a work session to be held jointly with the City Commission and the General Obligation Bond Oversight Committee. **Tim Hemstreet to handle.**

**Item No. 4 (C)**

A Letter to the City Commission (LTC) regarding the status of the North Shore Park and Youth Center project was presented to the Committee but not reviewed during the meeting.

- C6B Report Of The General Obligation Bond Oversight Committee Meeting Of October 8, 2003: 1) Change Order Report; 2) Recommendation To City Commission: A) Award A/E Agreement For Botanical Garden; B) Venetian Island Basis Of Design Report; 3) Project Status Report: A) Update On Fire Station No. 2; B) Update On Fire Station No. 4; C) Normandy Isle Park And Pool; 4) Informational Items: A) Updated Calendar Of Scheduled Community Meetings; B) Project Sequencing City Commission Resolution.

(Capital Improvement Projects)

**ACTION: Written report submitted.**

**Item No. 1**

The Administration informed the Committee that no change orders had been approved since the last meeting.

**Item No. 2(A)**

The Administration withdrew an item regarding awarding an Architectural/Engineering (A/E) Agreement for the "Garden Center" Botanical Garden project. This item will be brought back to the Committee at a later date.

**Item No. 2(B)**

A presentation was made regarding the Basis of Design Report (BODR) for the Venetian Islands Neighborhood Improvement Project, which outlined the proposed improvements to be made in the neighborhood. Area residents commented on the proposed improvements. The Committee approved a motion recommending that the City Commission approve the BODR. See Agenda Item R7B.

**Item No. 3 (A)**

The Administration informed the Committee that Jasco, the Contractor for the Fire Station No. 2 project, was doing a good job with the water tank portion of the project to date. The concrete base for the water tanks had been poured. The Administration will be meeting with Jasco to negotiate an acceptable Guaranteed Maximum Price for the Fire Station portion of the project, which will hopefully be brought to the City Commission for approval by the end of the calendar year. **Tim Hemstreet to handle.**

**Item No. 3 (B)**

The Administration informed the Committee that the Historic Preservation Board (HPB) had voted on September 9, 2003 to issue a Certificate of Appropriateness to demolish Fire Station No. 4 by a vote of 4 to 3. At the September 10, 2003 City Commission meeting, the City Commission passed a Resolution setting a public hearing for October 15, 2003 to decide whether or not the City should approve the Certificate of Appropriateness. Although the City Commission does not have to follow this procedure for considering demolition of a historic City facility, it is the same procedure HPB uses when considering demolition of non-City-owned historic facilities. Final Construction Documents were expected from the Architect in October for review and permitting by the City. It was anticipated that the project would be out to bid in December 2003, with construction to start hopefully in March 2004.

**Item No. 3 (C)**

The Administration informed the Committee that there were serious issues with the performance of the contractor for the Normandy Isle Park and Pool project. The Administration was working to see what legal ramifications were available to get the project to completion. **Tim Hemstreet to handle.**

**Item No. 4(A)**

The Administration informed the Committee that the contractor had received many final inspection approvals on the Scott Rakow Youth Center project, and only needed two (2) more before a Temporary Certificate of Occupancy could be obtained.

The Administration informed the Committee that the contractor for the North Shore Park and Youth Center was approximately 90 days behind schedule on all phases of the project, and that liquidated damages were being assessed. The contractor had significantly increased staffing levels to achieve completion of the project.

The Committee requested updates at the next scheduled meeting on the Indian Creek Greenway project and the South Shore Community Center project. **Tim Hemstreet to handle.**

**Item No. 4(B)**

The updated calendar of scheduled Community Meetings was provided to the Committee but not reviewed. As requested at the September 15, 2003 Committee meeting, a copy of the November 13, 2002 City Commission Resolution establishing the sequencing of construction for the individual bid packages and projects within the Neighborhood Right-of-Way Infrastructure and Parks and Facilities Improvement Programs was provided to the Committee but not reviewed.

C6C Report Of The Finance And Citywide Projects Committee Meeting Of September 16, 2003: 1) Discussion of Items Referred During the First Public Hearing Of The Budget For Fiscal Year 2003/04; And 2) Discussion Of The Requests By Miami-Dade County For The City Of Miami Beach Commission, As The Governing Body Of The Redevelopment Agency, In Its Sole Discretion, To: A) Exempt The Children's Trust, An Independent Taxing District, From Contributing Its Ad Valorem Tax Levy To The City's Redevelopment Trust Fund; And B) Impose A 1-1/2 Percent Administrative Fee On The Redevelopment Agency's Proposed FY 2003/04 Budget.

(Finance Department)

**ACTION: Written report submitted.**

**Item No. 1**

The Committee proposed the following amendments to the FY 2003/04 Budget:

Beach Patrol

- The Committee directed the Administration to restore the Beach Patrol service levels for FY 2003/04 to FY 2002/03 levels.
- The Committee further directed the Administration to open a lifeguard stand at 42<sup>nd</sup> Street with staffing requirements to be met with part time lifeguards and the rescheduling of shifts of current fulltime lifeguards operating within FY 2003/04 budgeted resources.

The Committee accepted the Administration's proposed funding for the following items, which were requested by the Commission during the 1<sup>st</sup> Public Hearing of the FY 2003/04 Budget on September 4, 2003:

- |   |                            |
|---|----------------------------|
| 1. Chamber of Commerce Visitor Center:        | from \$23,750 to \$25,000  |
| 2. Miami Design Preservation League:          | from \$23,750 to \$25,000  |
| 3. Sister Cities Program:                     | from \$15,000 to \$16,000  |
| 4. Office Associate V-Proclamations Position: | from unfunded to \$28,403  |
| 5. Homeless Assistance                        | from \$95,000 to \$245,000 |

Homeless Assistance

- The Committee requested that the Administration issue a Request for Qualifications (RFQ) for Homeless Assistance Bed Providers in order to have a pool of multiple providers available. **Vivian Guzman to handle.**
- The Committee also requested that the Administration return in three months to the Finance and Citywide Projects Committee to present a report with detailed analysis and statistical data outlining Homeless Assistance efforts. **Vivian Guzman to handle.**
- The Committee stated for the record that homeless outreach efforts should be aggressively pursued and that, if successful and verifiable, they might consider additional funding later in the year.

**Item No. 2(A)**

The Committee directed the City Manager to meet and negotiate with the Children's Trust and Miami-Dade County and report back to the Finance and Citywide Projects Committee with a status update. **Jorge Gonzalez, City Manager, to handle.**

**C7 - Resolutions**

- C7A A Resolution Electing Commissioner Jose Smith As Vice-Mayor For A Term Commencing On November 1, 2003, And Terminating On November 5, 2003, Or If A Runoff Election Is Held, Terminating On November 19, 2003.

(City Clerk's Office)

**ACTION: Resolution No. 2003-25359 adopted.** Robert Parcher to handle.

**10:37:36 a.m.**

- C7B A Resolution Authorizing The Purchase Of 204 Chairs For The Regional Library From Fritz Hansen, The Sole Source Manufacturer Of The Chairs, At A Total Cost Of \$49,530.

(Capital Improvement Projects)

**ACTION:** Item separated for discussion by Commissioner Steinberg. **Resolution No. 2003-25360 adopted as amended.** Motion made by Commissioner Gross; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. Tim Hemstreet to handle.

Commissioner Steinberg is concerned with the price of the chairs. He requested the Administration to try to find comparable chairs of a similar design which are not a sole source in order to get a better price.

**Amendment:**

Commissioner Steinberg offered an amendment to direct the Administration to look for comparable chairs of a lesser price. Commissioner Gross accepted the amendment.

Jorge Gonzalez, City Manager, stated that the Administration will be happy to do the research, however, if a comparable chair at a lesser price can't be found, to continue with the purchase. The Administration will report back. Tim Hemstreet to handle.

Mayor Dermer suggested to be informed via LTC and not to have to bring this item back.

- C7C A Resolution Approving Amendment 3 To The City's Agreement With EDAW For The Design Of The Flamingo Neighborhood Right Of Way Improvement Project By Increasing The Not To Exceed Fee By An Amount Of \$63,298 To Provide For Additional Geotechnical And Engineering Services Required To Support The Design Of Water Main And Storm Water Improvements, And Appropriating \$63,298 For Said Services As Follows: \$45,335.53 From Stormwater Bonds Series 2000 And \$17,962.47 From Water And Sewer Bonds Series 2000.

(Capital Improvement Projects)

**ACTION: Item separated for discussion by the Administration. Resolution No. 2003-25361 adopted.** Motion made by Commissioner Steinberg; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to appropriate the funds. Tim Hemstreet to handle.

Jorge Gonzalez, City Manager, stated that the resolution has been amended with an additional clause for clarification purposes that additional amenities are at the owner's expense but not the City's responsibility.

**10:31:14 a.m.**

C7D A Resolution Approving Additional Design Services For Rear Easement Waterline Relocation Efforts, As Amendment No. 3, To The Scope Of Services Of The Agreement, Dated September 5, 2001, With Reynolds, Smith And Hills, A/E Consultant For The La Gorce Right Of Way (ROW) Infrastructure Improvement Project And Further Appropriating An Amount Not To Exceed \$35,999, From Series 2000 Water And Sewer Bond Funds For Said Services, As More Particularly Described In Exhibit "A," The Fee Detail, Exhibit "B," Waterline Relocation Policy And Exhibit "C," The Geographic Area Of Said Additional Services.

(Capital Improvement Projects)

**ACTION:** Item separated for discussion by Commissioner Gross. **Resolution No. 2003-25362 adopted.** Motion made by Commissioner Gross; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to appropriate the funds. Tim Hemstreet to handle. The revised policy is referred to the Neighborhoods Committee. **Vivian Guzman to place on the agenda. Tim Hemstreet to handle.**

Commissioner Gross stated that for those areas where the water main is going to be relocated from the back of the property to the front easement, there is a procedure where the property approves the reconnection. He stated that if the Administration does not hear from the property owner, that by default, the Administration would reconnect the property to the new water main.

Jorge Gonzalez, City Manager, requested the Legal Department to look into this matter to make sure that there are no problems in assuming that the residents are in agreement to reconnect.

Tim Hemstreet, CIP Director, stated that the legal issue is the ability of the City to work on private property.

Vice-Mayor Bower asked what steps are being taken to protect the City from damage claims not done by the City.

Tim Hemstreet, CIP Director, explained that the contractor assumes the liability. The Administration requires the contractor to videotape and/or photograph every property before the job is started and after the job is completed.

Jorge Gonzalez, City Manager, stated the Administration will review the policy and check with the Legal Department. The revised policy will be sent to the Neighborhoods Committee.

C7E A Resolution Approving An Amendment To That Certain Amended And Restated/Consolidated Lease Agreement By And Between The City Of Miami Beach And The Miami Beach Jewish Community Center, Inc. (JCC), For A Parcel Of Land And Facilities Located At 4221 - 4229 Pine Tree Drive, Miami Beach, Florida, Amending Paragraph 15.5 Of Said Agreement, By Extending The Time Period By One (1) Year, From November 8, 2003 To November 8, 2004, For The JCC To Make Application To The City's Design Review Board, And Submit Plans For The Design Of The Proposed Improvements To The Property; And Further Clarifying The Commencement Date Of Said Amended And Consolidated Lease Agreement As November 8, 2000.

(Economic Development)

**ACTION: Resolution No. 2003-25363 adopted.** Christina Cuervo to handle.

- C7F A Resolution Setting A Public Hearing For November 25, 2003, On The Proposed Uses Of The Local Law Enforcement Block Grant Funds; Further Granting Retroactive Approval For The City Manager Or His Designee To Submit A Grant Application For Said Grant; While Leveraging Appropriated City Funds As Needed; While, Appropriating The Grant As Approved And Accepted By The City And Authorizing The Mayor, City Manager, And City Clerk To Execute All Necessary Documents Related To This Application.

(Grants Management)

**ACTION: Resolution No. 2003-25364 adopted.** Public hearing scheduled for November 25, 2003. R. Parcher to notice. Lilia Cardillo to place on the Agenda. Mayra Diaz Buttacavoli to handle.

**10:48:46 a.m.**

- C7G A Resolution To Ratify A Three Year Labor Agreement Between The City Of Miami Beach And The Government Supervisors Association Of Florida/OPEIU Local 100, (GSA) For The Period From October 1, 2003 Through September 30, 2006, And Authorize The Mayor And City Clerk To Execute The Agreement.

(Human Resources)

**ACTION: Resolution No. 2003-25365 adopted.** T.C. Adderly to handle.

Jorge Gonzalez, City Manager, recognized the efforts of the GSA representatives to finalize this agreement so quickly. He also stated that this union is always the first to negotiate and agree on their contract.

Jorge Gonzalez, City Manager commended Mayra Diaz Buttacavoli, Assistant City Manager, Linda Gonzalez, Labor Specialist, and T.C. Adderly, Human Resources Director, for their work in finalizing this agreement.

Robin Garber, GSA Representative, and the City's Public Works Department Supervisor of Metered Services, spoke.

- C7H A Resolution Authorizing The Administration To Issue A Standing Order To Siemens, As A Sole Source, Pursuant To State Of Florida Contract No. PABX730-650-99-1, In The Amount Of \$183,000.00, For FY 2003-2004, Renewable Annually, For Provision Of City-Wide Maintenance Services For Siemens Telephone And IVR Systems.

(Information Technology)

**ACTION: Resolution No. 2003-25366 adopted.** Kay Randall to handle.

- C7I A Resolution Declaring A Citywide Parking Emergency On The Following Respective Dates For The Following Respective Events: November 07-16, 2003, For The South Florida Auto Show; December 03-07, 2003, For Art Basel; December 31, 2003, For New Year's Eve Events; January 07-11, 2004, For Art Miami; January 23-25, 2004, For Graphics Of The Americas; February 12-17, 2004, For The NMMA Miami International Boat Show; And May 28-31, 2004, For Memorial Day Weekend Events; Allowing For The Use Of Specified Vacant Surface Lots Citywide, As Determined By The City Administration For The Provision Of Additional Parking To Alleviate Said Parking Emergencies. Further, Provided The Administration Shall Require Parking Operators To Secure The Appropriate Insurance And Occupational Licenses Required By The City Code To Operate Self-Parking And/Or Valet Parking Operations For This Purpose, And To Comply With Any And All Other Requirements As Deemed Necessary.

(Parking Department)

**ACTION: Resolution No. 2003-25367 adopted.** Saul Frances to handle.

- C7J A Resolution Setting A Public Hearing To Consider The Establishment Of A Restricted Residential Parking Zone For The Lake Pancoast Neighborhood And Expanding Existing Residential Parking Permit Zone Two (Flamingo Park) On The 500 Block Of Española Way.

(Parking Department)

**ACTION: Resolution No. 2003-25368 adopted.** Public hearing scheduled for November 25, 2003 at 5:01 p.m. R. Parcher to notice. Lilia Cardillo to place on the Agenda. Saul Frances to handle.

- C7K A Resolution Authorizing The Mayor, Or His Designee, And The City Clerk To Execute A Mutual Aid Agreement With The City Of Miami, Florida, For The Purpose Of Coordinating Law Enforcement Planning, Operations, And Mutual Aid Benefit Between The City Of Miami Beach And The City Of Miami.

(Police Department)

**ACTION: Resolution No. 2003-25369 adopted.** Chief De Lucca to handle.

**10:21:09 a.m.**

- C7L A Resolution Awarding A Contract To Skyline Construction, Corp.; The Lowest And Best Bidder Pursuant To Invitation To Bid No. 60-02/03, In An Amount Not To Exceed \$111,000 For The Construction Of The New Guardhouse At Palm Island; And Further Accepting And Appropriating The Contribution From The Palm/Hibiscus/Star Islands Association, Inc., In The Amount Of \$21,816, And Additionally Appropriate \$9,550 From The Sale Of Portion Of Right-Of-Way At South Hibiscus Drive.

(Procurement)

**ACTION: Item separated for discussion by the Administration. Resolution No. 2003-25370 adopted as amended.** Motion made by Commissioner Steinberg; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to appropriate the funds. Tim Hemstreet to handle.

The following language was added to the Resolution: *Whereas, the Project's scope of work only includes the installation of the electrical conduits to be used by the future gated access system, to be the sole responsibility of the HOA, once the Project has achieved Certificate of Completion.*

Vice-Mayor Bower requested to be kept up to date on the money issues on this project so that the project will not be held up. She is concerned how the Administration made the decision without advising the Commission.



Tim Hemstreet, CIP Director, stated that about a year ago the Homeowners Association was informed that the guardhouse being designed, with their input, had exceeded City funding. The procedure would be to re-scope the project. The HOA decided to pay for the difference between the City's budgeted amount and the cost of the project, up to a maximum amount of \$30,000. The Administration is waiting for a check from the HOA to cover the additional cost.

Vice-Mayor Bower asked what would happen if the association could not raise additional money.

Jorge Chartrand, Assistant CIP Director, stated that Mr. Tim Rose informed the Administration that a Letter-of-Credit will be submitted to the Administration regarding this matter.

Vice-Mayor Bower stated that if this type of financing arrangement is used again, to inform the City Commission.

Handout or reference materials:

1. Copy of the revised resolution

C7M A Resolution Ratifying Standing Orders In The Total Amount Of \$31,736, To Luis E. Roca, Inc., To Provide For Concrete Form And Placement Services In The Byron Carlyle Theater.  
(Public Works)

**ACTION: Resolution No. 2003-25371 adopted.**

Handout or reference materials:

1. Byron-Carlyle Construction Budget

C7N A Resolution Ratifying A Contract In The Amount Of \$56,305, With Fire Controls, Inc., For The Installation Of A Fire Alarm System In The Byron Carlyle Theater.  
(Public Works)

**ACTION: Resolution No. 2003-25372 adopted.**

Handout or reference materials:

1. Byron-Carlyle Construction Budget

C7O A Resolution Ratifying A Purchase Order In The Amount Of \$58,300, To Miami Stagecraft, Inc., For The Purchase Of Theater Stage Lighting, Equipment, And Materials Required For The Byron Carlyle Theater.  
(Public Works)

**ACTION: Resolution No. 2003-25373 adopted.**

Handout or reference materials:

1. Byron-Carlyle Construction Budget

- C7P A Resolution Authorizing And Approving The Appropriation And Transfer Of \$159,957 In Transit Surtax Funds To Replace City Funds That Were Previously Advanced For The Evaluation Of Rapid Transit Options Study/South Beach, Performed For The City Of Miami Beach By HDR Engineering, Inc., As Authorized By Resolution No. 2003-25197, Dated April 30, 2003.  
(Public Works)

**ACTION: Resolution No. 2003-25374 adopted.** Patricia Walker to appropriate and transfer the funds. Fred Beckmann to handle.

**10:44:20 a.m.**

- C7Q A Resolution Appropriating And Authorizing The Use Of Additional Funding In The Amount Of \$27,650.00 From Art In Public Places Fund No. 147 To Complete The Public Art Commission For The North Shore Park Youth Center Entitled "Circle."  
(Tourism & Cultural Development)

**ACTION:** Item separated for discussion by Commissioner Steinberg. **Resolution No. 2003-25375 adopted.** Motion made by Commissioner Garcia; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to appropriate the funds. Donna Shaw to handle.

Commissioner Steinberg stated that this is a situation where an artist agrees to provide artwork at a certain price, including installation. The City is notified that the artist can't do the installation. From a legal perspective this is a breach of contract with the City being damaged \$27,000. He stated that he wants the Administration to advise the Commission on what steps are being taken to prevent this from happening in the future.

Jorge Gonzalez, City Manager, stated that the Art in Public Places (AiPP) Committee will work to select the artist and go through the process that determines the selection of the artist, type of artwork and exhibiting location. The project management will be handled by the CIP Office. **Donna Shaw and Tim Hemstreet to coordinate.**

**End of Consent Agenda**

**REGULAR AGENDA****R5 - Ordinances**

- R5A An Ordinance Amending Ordinance No. 1605 As Amended, Being The Unclassified Employees Salary Ordinance; By Amending The Titles Of The Classifications Of First Assistant City Attorney To Assistant City Attorney And Assistant City Attorney II To Assistant City Attorney (II); Abolishing The Titles Of The Classifications Of Assistant City Attorney I And Senior Assistant City Attorney; Correcting The Public Record By Deleting Certain Lines; And Providing For A Repealer, Severability, Effective Date, And Codification. **11:30 A.M. Second Reading, Public Hearing.**

(City Attorney's Office)

(First Reading On July 30, 2003)

(Open & Continued On September 10, 2003)

(Open & Continued On September 18, 2003)

**ACTION:** Withdrawn at the request of Murray Dubbin, City Attorney.

Handout or reference materials:

1. Notice of Ad in Miami Herald

**11:16:09 a.m.**

**Supplemental Materials: Amendments to Ordinance**

- R5B An Ordinance Amending Section 106-346, Entitled "Definitions", Of Miami Beach City Code Article VIII, Entitled "Parades", Of Miami Beach City Code Chapter 106, Entitled "Traffic And Vehicles"; "Defining Demonstration, Rally, Picket Line; Creating Miami Beach City Code Section 106-375, To Be Entitled "Prohibited Activities" Of City Code Article VIII, Entitled "Parades", Of Miami Beach City Code Chapter 106, Entitled "Traffic And Vehicles"; Establishing Regulations Concerning Parades And Demonstrations; Prohibiting Certain Activities At Demonstrations, Rallies, Picket Lines And Parades In Public Places In The City, Providing For Repealer, Severability, Codification And Effective Date.

**11:00 A.M. Second Reading, Public Hearing.**

(Economic Development/Police Department)

(First Reading On September 10, 2003)

**ACTION:** Public Hearing held. **Ordinance Number 2003-3428 adopted as amended.** Motion made by Vice-Mayor Bower; seconded by Commissioner Cruz; Ballot vote: 6-0; Absent: Commissioner Smith. R. Parcher to transmit to Municipal Code Corporation. Chief De Lucca to handle.

Handout or reference materials:

1. Notice of Ad in Miami Herald

**12:51:08 p.m.**

R5C An Ordinance Amending Chapter 102 Of The City Code, Entitled "Taxation"; Amending Division IV Therein, Entitled "Tax"; Amending Article V Therein, Entitled "Occupational License Tax"; Amending Section 102-379 Therein, Entitled "Schedule Of Taxes"; Said Amendment Repealing The Five Percent (5%) Increases, Respectively, On The Fee For Beachfront Concession Operations Per Activity Per Location, And Beach Upland Fee (Per Unit), As Approved By Ordinance 2003-3413 On July 30, 2003; Providing For Repealer, Severability, Codification, And An Effective Date. **11:45 A.M. Second Reading, Public Hearing.**

(Finance Department)  
(First Reading On September 18, 2003)

**ACTION:** Public Hearing held. **Ordinance Number 2003-3429 adopted.** Motion made by Vice-Bower; seconded by Commissioner Garcia; Ballot vote: 6-0; Absent: Commissioner Smith. R. Parcher to transmit to Municipal Code Corporation. Patricia Walker to handle.

Handout or reference materials:

1. Notice of Ad in Miami Herald

**11:24:44 a.m.**

R5D An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Chapter 142, "Zoning Districts And Regulations," By Amending Section 142-902, "Permitted Accessory Uses," By Including A Management Office For Non-Contiguous Multiple Residential Buildings, Providing For Codification; Repealer; Severability; And An Effective Date. **First Reading.**

(Planning Department)

**ACTION: Ordinance approved on First Reading as amended.** Motion made by Vice-Mayor Bower; seconded by Commissioner Steinberg; Ballot vote: 6-0; Absent: Commissioner Smith. Second Reading and Public Hearing scheduled for November 25, 2003. R. Parcher to notice. Lilia Cardillo to place on the Commission Agenda. Jorge Gomez to handle.

Mr. Richard Shindler spoke.

**Amendment:**

Section 1 (2) i. One property management office for the purpose of managing residential units within the building as well as residential units located in other buildings under common beneficial ownership as long as the total number of units does not exceed a maximum of 100 units.

Handout or Reference Materials

1. Letter to the Mayor and members of the City Commission, from Richard Shindler, dated October 15, 2003, RE: Agenda Item # R5D allowing one property management office as an accessory use to manage residential units within the building as well as other non-continuous buildings.

**10:58:00 a.m.**

R5E Revisions To The Parking Lots Or Regulations On Certain Lots (Ocean Drive)  
An Ordinance Amending The Land Development Regulations Of The Code Of The City Of Miami Beach, Florida, By Amending Chapter 142, "Zoning Districts And Regulations" Of The Code Of The City Of Miami Beach, Florida, By Amending Section 142-1107, "Parking Lots Or Garages On Certain Lots" By Providing That Vacant Lots Fronting Ocean Drive That Existed As Of January 1, 1999 May Be Used For Provisional Or Temporary Parking Lots As Provided For In Sections 130-70 And 130-71 Of The Miami Beach City Code; Providing For Repealer, Codification, Severability And Effective Date.  
**10:30 A.M. First Reading, Public Hearing.**

(Planning Department)

(Opened & Continued On September 10, 2003)

**ACTION: Public Hearing Opened and Continued to November 25, 2003 at 10:30 a.m.** Motion made by Commissioner Cruz; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Lilia Cardillo to place on agenda. Jorge Gomez to handle.

Handout or reference materials:

1. Notice of Ad in Miami Herald

**10:59:20 a.m.**

R5F An Ordinance Amending The Code Of The City Of Miami Beach, Florida, Section 142-107. "Development Regulations For The Altos Del Mar Historic District," Increasing The Maximum Square Footage That May Be Built In The RS-4 Zoning District Within The "Altos Del Mar" Local Historic District, Providing For Codification; Repealer; Severability; And An Effective Date. **10:45 A.M. Second Reading, Public Hearing.**

(Planning Department)

(First Reading On September 10, 2003)

**ACTION: Public Hearing Opened and Continued to November 25, 2003 at 10:45 a.m.** Motion made by Commissioner Steinberg; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. Lilia Cardillo to place on agenda. Jorge Gomez to handle.

Jorge Gomez, Planning Director, explained the item to the City Commission.

Motion to adopt the ordinance made by Vice-Mayor Bower; seconded by Commissioner Garcia. Discussion continued.

Commissioner Steinberg is concerned with what is going on with the Beachwalk Project. He stated that the developer is still objecting to the actions taken by the City Commission regarding the Beachwalk Project.

Alex Tachmes, representing Altos Del Mar, spoke.

Motion made by Commissioner Steinberg to continue the item until there is resolution as to where the Beachwalk will be located and everyone is in agreement. **Fred Beckmann to handle.**

Mayor Dermer stated that a formal letter approved by the Legal Department is needed from the developer indicating the location of the Beachwalk and that the developer will not object to it.

Handout or reference materials:

1. Notice of Ad in Miami Herald

## **R7 - Resolutions**

**11:34:18 a.m.**

- R7A A Resolution Approving And Officially Adopting The Biscayne Point Neighborhood Basis Of Design Report (BODR) And Addendum No. 1, Which Defines And Describes G.O. Bond, Water And Sewer Bond, And Stormwater Bond Funded Capital Improvements To Be Implemented Through The Biscayne Point Right Of Way Improvement Project.  
(Capital Improvements Projects)

**ACTION: Resolution No. 2003-25376 adopted.** Motion made by Commissioner Gross to approve the BODR and list the brick pavers as an unfunded item with the understanding that, as the process continues, the Administration will look for ways to fund; seconded by Commissioner Garcia; Voice vote: 6-0; Absent: Commissioner Smith. Tim Hemstreet to handle.

Tim Hemstreet, CIP Director, presented the BODR.

Commissioner Gross stated that he does not believe Victorian acorn lights are the best fixtures for the City of Miami Beach.

Jorge Gonzalez, City Manager, stated that a lot of the work has been done regarding lighting fixtures and they are focusing on a variety to bring to the Design Review Board for their input.

Commissioner Gross asked if a cost analysis is being done at the same time the aesthetic is being analyzed.

Jorge Gonzalez, City Manager, stated that the operation of the lights, accessibility for repairs etcetera are being evaluated.

Commissioner Gross suggested that the Administration may want to solicit input from the private sector from people who deal with light fixtures, to see if they have suggestions as to what is best.

Ted Berman, Vice-President, Biscayne Point Homeowners Association, spoke on the lighting, swale reclamation, entrance improvement (installment of brick pavers from the intersection of Hawthorne Avenue to the guardhouse), traffic calming island at the intersection of Noremac and North Biscayne Point Rd., and repair of waterlines damages the streets.

Commissioner Steinberg stated that there seem to be a lot of issues unresolved between the Homeowners Associations and the Administration and he suggested deferring this item until all the issues are resolved.

Jorge Gonzalez, City Manager, explained that the issue was whether to do re-paving or do more lighting. He instructed his staff to work with the consultants and with the homeowners to determine if the issue could be resolved. He understands that after further analysis the additional lighting will not be required, which gave the Administration the resources to go back and do the paving that was recommended by the Administration. He explained that this issue could be resolved by putting more money into the neighborhood, but this is not how he would recommend it be resolved because there have been 13 neighborhoods that have gone through this process and they all have lived within the means allocated to each of them. He stated that the decision is whether to go ahead and fix the streets, or to forego that and install the brick pavers. In his opinion, the optimum solution being requested from the City Commission is to do the pavers and find more money to do the streets also. His recommendation to the City Commission is not to do that, since other neighborhoods have been denied the same requests.

Richard Shindler spoke.

Rachel Umlas, Biscayne Point resident, spoke.

Silvio Rodriguez spoke.

Richard Shindler spoke about putting the parking back on the south side of Crespi Park.

Mayor Dermer stated that this is not something that is of an immediate nature and requested the Administration to review the parking situation and the impact to the park and give the Commission a recommendation. **Tim Hemstreet to handle.**

Handouts or reference Materials

1. Bound book titled: Infrastructure Improvement Program Basis of Design Report (Draft Final) Biscayne Point Neighborhood – The Corradino Group
2. Addendum No. 1, dated August 15, 2003, Right-of-way Infrastructure Improvement Program, Biscayne Point, Final Basis of Design Report (June, 2003)
3. Copy of PowerPoint presentation for Biscayne Point Neighborhood by from The Corradino Group Savino & Miller Design Studio.

**12:25:32 p.m.**

**Supplemental Material: Resolution**

R7B A Resolution Approving And Officially Adopting The Venetian Islands Neighborhood Basis Of Design Report (BODR) Which Defines And Describes G.O. Bond, Water And Sewer Bond, And Stormwater Funded Capital Improvements To Be Implemented Through The Venetian Islands Right Of Way Improvement Project.

(Capital Improvement Projects)

**ACTION: Resolution No. 2003-25377 adopted.** Motion made by Commissioner Gross; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. **Tim Hemstreet to handle.**

Tim Hemstreet, CIP Director, presented the BODR.

Commissioner Gross had the same comments as in R7A regarding the acorn lights.

Linda Grosz, President of the Venetian Island Homeowners Association, stated that the sewer and drainage problem still exists on the islands and she is concerned that the bulk of the money has already been allotted to Belle Island. She does not understand why the City spends all the money there when their islands has foot traffic, bike traffic, kids catching the buses to go to school and getting wet almost to their ankles.

Commissioner Gross asked why the drainage issue for this area was not indicated as a priority. He understands that this area is not one of the first 34 priority basins, and asked if there is a second tier since citizens are complaining of flooding in other areas and those areas are not listed as a priority.

Tim Hemstreet, CIP Director, will research. **Tim Hemstreet to handle.**

Handouts or reference Materials

1. Bound book titled: Basis of Design Report Venetian Islands Neighborhood No. 13 – Edwards and Kelcey
2. Addendum No. 1, dated October 8, 2003, Right-of-way Infrastructure Improvement Program, BP 13C: Venetian Islands, Final Basis of Design Report (September, 2003)
3. Copy of PowerPoint presentation for Rivo Alto, Dilido and San Marino Islands Right-of-Way Improvements from Edwards and Kelcey, dated October 15, 2003

**11:17:45 a.m.**

- R7C A Resolution Granting A Certificate Of Appropriateness For Demolition Of Fire Station No. 4, A Contributing Structure Of A Historic Site Located At 6860 Indian Creek Drive, In Order To Construct A New Three Bay Fire Station On The Same Site. **11:15 A.M. Public Hearing.**  
(Capital Improvement Projects)

**ACTION:** Public Hearing held. **Resolution No. 2003-25378 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Garcia; Voice vote: 6 0; Absent: Commissioner Smith. Tim Hemstreet to handle.

Vice-Mayor Bower stated that she agreed to this because of the costs involved.

Handout or reference materials:

1. Notice of Ad in Miami Herald

**2:36:06 p.m.**

- R7D A Resolution Authorizing The Issuance Of Request For Qualifications (RFQ) For Professional Services For The Planning, Design, Bid And Award And Construction Administration Services For The Rotunda Restoration Project.  
(Capital Improvement Projects)

**ACTION: Resolution No. 2003-25379 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Gross; Voice vote: 5 0; Absent: Commissioners Cruz and Smith. Tim Hemstreet to handle.

Former City Commissioner Nancy Liebman spoke.

**12:49:47 p.m.**

- R7E A Resolution Authorizing The Administration To Enter Into Negotiations With Ric-Man International, Inc., The Lowest And Best Bidder, Pursuant To Invitation To Bid (ITB) No. 22-02/03, For Design/Build Services For Washington Avenue Improvements Phases 2, 4 And 5; And Should The Administration Not Be Able To Negotiate An Agreement With Ric-Man International, Inc., Authorize The Administration To Reject All Remaining Bids.  
(Capital Improvement Projects)

**ACTION: Resolution No. 2003-25380 adopted.** Motion made by Commissioner Gross; seconded by Commissioner Steinberg; Voice vote: 6-0; Absent: Commissioner Smith. Tim Hemstreet to handle.

**3:31:12 p.m.**

- R7F A Resolution Authorizing The Execution Of A Management Services Agreement For The Miami Beach Convention Center And The Jackie Gleason Theater Of The Performing Arts Between The City And SMG, For A Term Of Three Years With An Option To Extend For Two Additional One Year Periods.  
(City Manager's Office)

**ACTION: Resolution No. 2003-25381 adopted. Agreement amended.** Motion made by Vice-Mayor Bower; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Commissioner Smith. Christina Cuervo to handle.

**Agreement Amendments:**

Page 6 – 2.2 (b): “.....upon the effective date of such election, the Management Fee payable to SMG



pursuant to Section 4.1(a)(i) hereof shall increase by a mutually agreed upon amount not to exceed \$50,000 .....

Page 13 – add: 3. Management Term and Renewal Term;  
Delete: ~~3.1 Management Term and Renewal Term;~~ and  
Delete: 3.2 in its entirety.

Doug Tober , SMG spoke.  
Nancy Liebman spoke.

Handout or reference materials:

1. Pages 6 and 13 of the agreement indicating the changes.

**4:09:39 p.m.**

**Supplemental Material: Resolution**

R7G A Resolution Authorizing The Execution Of A Letter Of Agreement (LOA) Establishing A Pilot Program With On-Board Media For A Maximum Of Twelve (12) Months To Produce And Air A Thirty (30) Minute Segment Of "Welcome To Miami Beach" In Promotion Of The City Of Miami Beach As A Tourist Destination And Quality Residential Community, On "Beach TV" (Charter Communications Geographic Territory), At No Cost To The City; Providing A Link On The City's Website, A Letter Of Support For The Programming Efforts And The City's Cooperation And Conceptual Support Of The Program And Its Production.

(City Manager's Office)

**ACTION: Item deferred and Administration to do additional research to get more information either in a formal or informal setting, such as video clips and how other cities have contracted and implemented such programs.** Motion made by Commissioner Steinberg; seconded by Vice-Mayor Bower to defer item to the next meeting; Voice vote: 6-0; Absent: Commissioner Smith. Lilia Cardillo to place on the November 25, 2003 Commission agenda. Christina Cuervo to handle.

Joe Fontana spoke.

Commissioner Steinberg stated that when this issue came to the Community Affairs Committee, two things went through his mind: 1) "do not look a gift horse in the mouth and 2) "if it sounds too good to be true, maybe it is." He also wanted to clarify four issues, since he believes that what was presented to him before is not the same as to what is in the Letter of Agreement:

1. The Committee was told that no one else is providing this service. He stated that there are companies doing similar things in the hotels selling ads and providing services to hotels.
2. He is concerned about the perception that On-Board Media will take a seal of approval from the City, especially with the letter from Mayor Dermer included in this package. He stated that the City should not be put in a position where the name could be used to sell services to third parties and he is concerned that businesses that are willing to provide these services were not given notice.
3. He is concerned that out of 24 hours, only two hours per day will be for the City program, and the remainder 22 hours will be for other ads paid by other people to use the channel; this will give the perception that the City of Miami Beach is endorsing whatever is advertised on the channel.
4. There is nothing in the agreement stating that the City is not endorsing the product and indicated that there should be a disclaimer. The City is not allowed to do much with the programming and

there are limitations because it cannot be used for commercial purposes.

Commissioner Steinberg explained that the programming hours dedicated to the City revealed a drastic reduction from what was discussed at the Committee meeting to what is proposed in the LOA. According to discussions, the show would air 12 times per day, and what the LOA proposes is airing the show four times per day, which is a 2/3 reduction. He also mentioned that On-Board Media would be the only link on the City's webpage and yet other organizations want to have the same relationship with the City. The City would be providing a link for Beach TV with ads and streaming video from different vendors, which users would assume is from the City of Miami Beach, and that is of concern.

Vice-Mayor Bower agreed with Commissioner Steinberg and suggested restructuring the Beach TV link online to make it look separate from the City's website.

Commissioner Garcia stated that the agreement allows the City to terminate the contract within 30 days and made a motion to approve; no second offered. Discussion continued.

Robert Eichner, General Manager, On-Board Media, Inc., spoke.

Michael Milberg, spoke on behalf of On-Board Media, Inc.

Mayor Dermer requested to see how this is done in other cities.

Motion made by Commissioner Steinberg that this item be referred back to the Community Affairs Committee, and direct the Administration to research how other cities are handling and the type of agreements between the City and the company to make sure what the City of Miami Beach is getting is in line with what other municipalities. No second offered. Discussion continued.

Mayor Dermer stated that if this has been done elsewhere with good results, he would like to see a video clip of how it's done. He suggested deferring this item until November 25, to get more information either in a formal or informal setting, such as video clips and how other cities have contracted and implemented such programs; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. Christina Cuervo to handle.

Commissioner Cruz thanked Vice-Mayor Bower and the Administration for their hard work.

**11:28:59 a.m.**

R7H A Resolution Authorizing The Mayor And City Clerk To Execute A Lease Agreement With The Parkview Point Condominium Association, At The Rate Of \$20,000.00 Per Year, For FY 2003-2004, Renewable Annually For A Period Of Twenty (20) Years, Including Annual Increases Of 3% Or The CPI-U, Whichever Is Less, With A Ten (10) Year Renewable Option, At The End Of The Initial Term, Pending Federal Communications Commission (FCC) Site Approval, For The Lease Of The Rooftop, Located At 7441 Wayne Avenue, Miami Beach, Fl, For The Purpose Of Constructing A North End Radio/Antenna Site To House The City's Public Safety Communications System.  
(Information Technology)

**ACTION: Resolution No. 2003-25382 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Steinberg; Voice vote: 6 0; Absent: Commissioner Smith. Kay Randall to handle.

**2:42:06 p.m.**

- R7I A Resolution Authorizing The Mayor And City Clerk To Execute An Operation And Management Agreement, By And Between The City Of Miami Beach, Florida, And Professional Course Management II, Ltd., For The Comprehensive Management And Operations Of The City's Miami Beach Golf Course, Clubhouse And Related Facilities, In Accordance With Request For Proposals (RFP) No. 125-99/00; Said Agreement Having An Initial Term Of Three (3) Years, Commencing On October 1, 2003, And Expiring September 30, 2006, With An Option To Renew For An Additional Two (2) One Year Terms, On A Year-To-Year Basis, As Provided In The Agreement.  
(Parks & Recreation)

**ACTION: Resolution No. 2003-25383 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Gross; Voice vote: 5-0; Absent: Commissioners Cruz and Smith. Kevin Smith to handle.

**11:19:59 a.m.**

- R7J A Resolution Authorizing The City Manager, Or His Designee To Select, Negotiate, Award And Reject All Bids, Contracts, Agreements, Purchase Orders, Change Orders And Grant Applications; Renew Existing Contracts Which May Expire; Terminate Existing Contracts As Needed; From The Last Commission Meeting On October 15, 2003, Until The First Regularly Scheduled Commission Meeting on November 25, 2003, Subject To Ratification By The City Commission At Its First Regularly Scheduled Meeting on November 25, 2003. **Joint City Commission And Redevelopment Agency.**  
(Procurement)

**ACTION: Heard in conjunction with item RDA 3A.** Public hearing held. **Resolution No. 2003-25384 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Gus Lopez to handle.

**2:45:22 p.m.**

- R7K A Resolution Approving, Pursuant To Section 90-230 Of The Miami Beach City Code, The Renewal Of Non-Exclusive Franchise Agreements With The Four (4) Existing Franchise Waste Contractors: 1) Republic Services Of Florida, Limited Partnership D/B/A All Service – Miami Dade Division, As Successor In Interest To Lazaros Waste Recycling; 2) Davis Sanitation, Inc; 3) Waste Management Of Dade County North, A Division Of Waste Management, Inc Of Florida; And 4) Browning Ferris Industries Waste Services Of North America; Said Franchises Approved For A Term Of Five (5) Years, Commencing Retroactively On October 1, 2003, And Ending On September 30, 2008; Further Authorizing The Mayor And City Clerk To Execute Franchise Agreements With The Four (4) Aforestated Franchisees; Providing Further, That Said Approval Of Renewal Of The Four (4) Franchise Waste Contractors Be Subject To And Contingent Upon Each Waste Contractor's Renewal And Execution Of The Currently Existing Agreement For Provision Of Additional Services Relative To Solid Waste Collection At City-Owned Facilities, With The Term Of Said Agreement(s) To Run Concurrently With The Term Of The Franchise, As Set Forth In This Resolution.  
(Public Works)

**ACTION: Resolution No. 2003-25385 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Gross; Voice vote: 5-0; Absent: Commissioners Cruz and Smith. Fred Beckmann to handle.

**5:11:58 p.m.**

R7L A Resolution Authorizing The Mayor And City Clerk To Renew A Service Agreement With BFI Waste Systems Of North America, Inc., For A Term Of One Year, Commencing November 1, 2003 And Ending On October 31, 2004, For The Collection And Disposal Of Residential Solid Waste, Yard Trash, Bulk Waste And Operation Of The City's Solid Waste Management Facility.  
(Public Works)

**ACTION: Resolution No. 2003-25386 adopted as amended.** Motion made by Commissioner Cruz to extend the contract and only allow for green goods, including allowing residents to haul green goods in trailers; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. Fred Beckmann to handle.

Jorge Gonzalez, City Manager, presented the item and explained that the reason the "stash site" is in this discussion is because BFI, as part of their contract, operates the stash site located in the Miami Beach Golf Course. He met with some of the residents and their representatives and tried to propose reductions to the use of the stash site that will ameliorate the concerns the residents have, both of what it is used for and the volume in traffic. He explained that under this contract the stash site will not be used for any City waste from contractors or the sanitation crews. In addition, white goods such as refrigerators, oven, and appliances have been discontinued at the stash site. Construction debris and demolition type of waste will not be received. He added that the stash site will be used for green grass and household waste defined as small appliances, furniture, lamps, and mattresses; light construction debris such as old rugs, or small debris from remodeling a home, and is being limited by cubic yard and volume, but no large scale construction debris will be allowed.

Tucker Gibbs, representing the Bayshore Homeowners Association, stated that the residents do not want this trash site. He explained that a trash site is only green cuttings and it does not include light construction debris or refrigerators.

Rabbi Schiff spoke.

Harold Rosen, representing BFI, spoke.

Commissioner Steinberg stated his concerns about the residents in multi-family dwellings living in condominiums, since they do not have the option of a bulky waste pick up. He stated that multi-family residents should be able to use the trash site when remodeling their apartments or buying a new refrigerator, etc. and the homeowners need to be encouraged to use the bulky pick up. He further stated that condominium residents have not had an opportunity to give their input.

Motion made by Commissioner Gross to adopt the Administration's recommendation and add "no construction debris" to the category of items not to be permitted to be dumped; seconded by Commissioner Cruz for discussion.

Commissioner Cruz asked if the motion means only green goods.

Commissioner Gross stated that it would also allow for furniture, mattresses, etc.

Commissioner Cruz withdrew his second. No other second was offered.

Danny Martin suggested being able to include a trailer with proper City of Miami Beach identification.

Motion made by Commissioner Cruz to extend the contract and only allow for green goods, including allowing residents to haul green goods in a trailer; seconded by Vice-Mayor Bower.

Jorge Gonzalez, City Manager, suggested working with Mr. Rosen and BFI to try to negotiate instead

of one roll off per month, more frequent rolls, or more of it, in order to mitigate the potential for illegal dumping. He stated that the cost of operating the stash site is part of the contract with BFI, and if the operating cost is reduced, the contract should be renegotiated.

Vice-Mayor Bower instructed the Administration to advertise all of these changes to the stash site on Channel 20. **Fred Beckmann to provide Government Channel 20 with the information.**

Motion made by Commissioner Steinberg to defer the item. No second offered.

Jorge Gonzalez, City Manager, requested a 60 days transition to inform the citizens.

Handout or reference materials:

1. Unsigned Interoffice Memorandum from Jorge Gonzalez, City Manager, to Commissioner Bower dated October 14, 2002 in reference to "Material Recovery Facility Renovations Update".
2. Interoffice Memorandum from Jorge Gonzalez, City Manager, to Mayor David Dermer and members of the City Commission, dated 10/15/2003, RE: "Community Trash & Recycling Center."

**2:49:01 p.m.**

**Addendum item:**

R7M A Resolution Waiving By 5/7<sup>th</sup> Vote, Competitive Bidding And Authorizing The City Manager To Execute An Agreement With Salvation Army, Miami Rescue Mission, Miami-Dade County Homeless Assistance Center, And St. Luke's Addiction Treatment Center, For Up To \$150,000 For The Provision Of Emergency Shelter Beds To The City Of Miami Beach's Homeless Population To Aggressively Pursue Homeless Outreach With Funding To Be Provided From Resort Tax Funds.  
(Neighborhood Services)

**ACTION: Resolution No. 2003-25387 adopted as amended.** Motion made by Vice-Mayor Bower; seconded by Commissioner Steinberg; Voice vote: 5 0; Absent: Commissioners Cruz and Smith. Vivian Guzman to handle.

Jorge Gonzalez, City Manager, informed the Commission not to use the resolution in the Addendum package but to use the new resolution in the handouts. He further stated that after 90 days the item will be referred to the Finance and Citywide Projects Committee. **Patricia Walker to place on the Agenda. Vivian Guzman to handle.**

Handout or reference materials:

1. Copy of resolution.

### **R9 - New Business and Commission Requests**

R9A Board and Committee Appointments.  
(City Clerk's Office)

**ACTION:**

#### **Miami Beach Florida Sister Cities Program:**

Rony Curvelo	(Santa Marta)	Term expires 12/31/03	Appointed by Mayor Dermer
Claudia Dunin	(Rio de Janeiro)	Term expires 12/31/04	Appointed by Mayor Dermer
David Lehrman	(At-Large)	Term expires 12/31/03	Appointed by Mayor Dermer
George Safirstein	(Santa Marta)	Term expires 12/31/04	Appointed by Mayor Dermer

**Miami Beach Commission on Status of Women:**

Merrie Thomas

Term expires 12/31/04

Appointed by Commissioner Steinberg

**2:59:33 p.m.**

R9A2 Board and Committee Appointments:

(City Clerk's Office)

**Miami Beach Cultural Arts Council:**

The nominating committee from the Miami Beach Cultural Arts Council submitted a memorandum with three names for each of the two vacancies. The names submitted for the two vacancies were: Pamela Bryant, Jessie Brode, Pavlova Greber, Carol Hoffman, Liliam Lopez and Michael McManus.

**ACTION:** Motion made by Commissioner Garcia to nominate Mr. Michael. E. McManus to the Miami Beach Cultural Arts Council; seconded by Commissioner Steinberg; Appointed by acclamation. Term expires on 12/31/05.

**ACTION:** Mayor Dermer nominated Pamela Bryant, Vice-Mayor Bower nominated Jessie Brode and Commissioner Steinberg nominated Carol Hoffman to the Miami Beach Cultural Arts Council. Carol Hoffman received three (3) ballots votes.

Robert Parcher, City Clerk, explained that a majority vote is required for this Board and Mayor Dermer changed his vote to appoint Carol Hoffman, making it four (4) ballot votes for Ms. Hoffman. Her term expires on 12/31/05. Absent: Commissioner Cruz and Steinberg.

Handouts or Reference Materials:

1. One (1) set of ballot

**2:11:22 p.m.**

R9B (1) Dr. Stanley Sutnick Citizen's Forum.

**ACTION:**

**Milton Montalvo** thanked the registered voters that signed the petition to place his name on the ballot. He stated that he had over 648 certified signatures. He is contesting Miami-Dade County Elections Department for a recount. He stated that out of 1,081 signatures, he needed 697 to qualify. He added that we live in a democracy and there is no place better than here. He explained that the right of his supporters, as well as his, were abrogated by an ordinance that is poorly written and is open-ended as far as the procedure to obtain the signatures. He asked how many signatures are necessary to have above the required amount in order to have the correct number of registered signatures.

Mayor Dermer responded that the standard is 50% or more.

Mr. Montalvo stated that he was told the standard was 1/3 more. He contacted the ACLU because his rights were violated and will pursue this issue further.

Mayor Dermer commended Mr. Montalvo for working so hard in obtaining these signatures.

Handout or Reference Materials

Prepared by the City Clerk's Office

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## 1. Speakers list

**2:19:03 p.m.**

New Item:

Ms. Constance Kaplan, Miami-Dade County Supervisor of Elections, spoke.

Constance Kaplan, Miami-Dade County Supervisor of Elections, informed Mr. Montalvo that there is no way to say how many more signatures are needed to meet the ordinance.

Mayor Dermer welcomed Ms. Kaplan to Miami Beach.

Constance Kaplan, Miami-Dade County Supervisor of Elections, stated that she came to answer any question on the upcoming elections on November 4, 2003. She stated that new procedures will be implemented and informed the City Commission that the paper absentee ballot is two or three pages long and printed in two languages; the questions are going across the page instead of in a column form. Early voting will be available. She also explained that there will be an Election Central, which is a phone number for anyone to get information. There will be a direct line provided to the municipal clerks so they can reach her directly or anyone in her management team to express concerns and or problems, and a trouble shooter or a technician can be dispatched to take care of the problem. She stated that this is in preparation for the March Primary Election.

Vice-Mayor Bower asked what comes first on the absentee ballots.

Ms. Kaplan responded that the candidates are first, followed by the questions.

Ms. Kaplan continued saying that now there is an election almost every month somewhere in the County and this is a drain on the staff as well as the finances of the citizens. The Elections Department has been doing cost estimates because the municipalities need to reimburse the County for the expenses of running the election. She emphasized that it is her initiative to attempt to get a municipal election day for the County where all the municipalities will be voting on the same day. This will help the County to provide better service to the municipalities.

Vice-Mayor Bower asked what the status of the paper trail issue is.

Ms. Kaplan explained that she will be attending an Election Reform Coalition meeting where there will be vendors presenting what is available. The equipment provides and prints an audit trail so that one can see exactly what votes have been entered on the machine and this is available after the election to do auditing. The issue of having a ballot that could be used in the event of a recount has not been certified by the State of Florida nor has any equipment been certified. Miami-Dade County has given the Elections Department 120 days to see what is available in the market and what is involved in retrofitting the equipment. She stated that right now there are a lot of checks and balances in place and the equipment is safe and tabulating accurately.

Vice-Mayor Bower asked how the process is in the event of a recount.

Ms. Kaplan explained that the State has procedures for this type of equipment. There are a series of tests to check the numbers in the tabulation as compared to what is in the memory of the unit. The number of votes is counted against the number of signatures of voters that have voted in the unit. She explained that even after the information is transmitted via modem there is still a residual memory in the unit.

Mayor Dermer asked Ms. Kaplan her opinion on running the election during odd years.

Ms. Kaplan stated that in Chicago the municipal elections were handled during odd years and the

County and State were on even years, and that made it much easier.

Commissioner Steinberg announced his involvement in encouraging citizens to register and vote early. He thanked Ms. Kaplan on behalf of the voters and requested the Elections Department provide "I voted" stickers.

Ms. Kaplan added that there are a lot of programs to encourage people to vote and to improve voter's registration and voters turnout.

**2:35:06 p.m.**

**Announcement:**

Mayor Dermer announced that early voting will be at City Hall on Monday, October 27, from noon to 7:00 p.m., Tuesday, October 28, from noon to 7:00 p.m., Wednesday, October 29, from noon to 7:00 p.m., Thursday, October 30, from 9:00 a.m. to 4:00 p.m., Friday, October 31, from 9:00 a.m. to 4:00 p.m., Saturday, November 1, from 9:00 a.m. to 7:00 p.m. and Tuesday, November 4, 2003 (election day) from 7:00 a.m. to 7:00 p.m.

**6:11:18 p.m.**

R9B(2) Dr. Stanley Sutnick Citizen's Forum.

**ACTION:**

**Mindy Spitzer** spoke regarding swimming at the Flamingo Park Pool. She is not a Miami Beach resident but frequently swims there. A poster by the pool announced that as of October 1, the fees were going to be \$3.00 for residents and \$6 for non-residents (or an annual pass for \$200.00), but never differentiated between residents or non-residents for the annual pass. She paid the annual fee, her check was accepted and she was given a receipt. The next time she came to swim she was told by the lifeguard that they were returning her check. Her attorney instructed her not to accept the check. She asked for a copy of the poster announcing the fees but was told they did not have it. She went to take a picture of the poster and the poster had been changed, and it stated that season passes can be purchased by Miami Beach residents only, but she had already paid.

Murray Dubbin stated that when the City makes an error, the City cannot be bound by equitable estoppel. The City Commission has the authority to give her the right to swim there for the year for the \$200 annual pass.

Jorge Gonzalez, City Manager, stated that the City does not have an annual pass for non-residents. He has asked the Parks and Recreation Department to do an analysis and see if there is an appropriate cost that could be allocated and allow for an annual pass for non-residents, as long as it does not adversely affect the residential use. He explained that it is the intention of the Administration to do this, but perhaps limit the number of non-residents' annual passes. He further suggested that the City Commission instruct the Administration to resolve this issue with Ms. Spitzer in a reasonable manner.

**Bea Kalstein** stated that the residents are plagued with mosquitoes and the County sent trucks to spray the area. The area is also plagued with possums. She stated that this infestation comes from the stash site.

**David Kelsey** stated that a couple of weeks ago the Administration held a community meeting to discuss its noise enforcement policy. It is quite clear that the policy is too harsh and the recommendation was to have a policy that was fair and more acceptable to the business community and the residents. He submitted a memorandum to the City for this policy and requests that it be



discussed by perhaps sending it to a committee, or to a Commission Workshop. He explained that arresting somebody on the second violation for a noise offense is too extreme and revoking the business license has an adverse economic impact on the community. He suggested having a higher schedule of fine. An alternative is to fine the establishment heavily rather than closing the business.

Commissioner Gross stated that the direction at the meeting was to schedule a community workshop to discuss the issues submitted in writing and the policy in place to reach a compromise.

Handouts or Informational Materials:

1. Memo from David Kelsey to Jorge Gonzalez, City Manager, Assistants City Manager, and members of the City Commission, dated October 13, 2003, RE: "New CMB Noise Enforcement Policy presented on October 1, 2003 and Suggestion for an Alternate Enforcement Policy.

**3:10:55 p.m.**

- R9C A Resolution Urging Against The Increase Of Development Intensities And Densities Through Relaxation Or Modification Of The City's Land Development Regulations, Comprehensive Plan, And Concurrency System, As A Result Of Its Recommendation On Rail-Based Transportation Systems, So As To Protect Against Overdevelopment Of The City.  
(Requested By Mayor Dermer)

**ACTION: Resolution No. 2003-25388 adopted as amended.** Motion made by Commissioner Garcia; seconded by Vice-Mayor Bower; Voice vote: 6-0; Absent: Commissioner Smith. R. Parcher to transmit to the Metropolitan Planning Organization, Jorge Gomez for distribution to the Planning Board, and Robert Middaugh, Assistant City Manager, for distribution to the Concurrency Management Task Force Committee.

Mayor Dermer stated that he is concerned that with the rail project approved the City will have an increase in concurrency credits; thereby, allowing greater density in the City. He would like to convey that sentiment for the future that under no circumstances will the increase in credits allow for further overdevelopment.

Commissioner Steinberg commended Mayor Dermer for this resolution and stated that it is important to be concerned about development on the other side of the bay, and to ask that this be broadened to include the entire route of the Bay Link. He stated that it is more important that the City's ingress and egress to the City be protected.

**Amendment:**

Resolution expresses a concern about the City becoming overdeveloped and in the 4<sup>th</sup> Whereas clause and the Resolve clauses, add language *"and surrounding communities that may impact the City."*

Commissioner Garcia complimented Mayor Dermer for this legislation and added that this would have a more soothing and friendlier effect on the neighboring communities, if the City sends a copy of the resolution and allow surrounding cities to follow suit.

Commissioner Gross agreed with both Commissioners Garcia and Steinberg; the City is concerned that with the increase in development on Watson Island and the MacArthur Causeway, there will be more traffic when trying to get to Miami Beach. He asked the City Attorney what can the City do to make sure that the developments that do take place on Watson Island and the Causeway will not be detrimental to the City of Miami Beach.

Murray Dubbin, City Attorney, suggested adopting the resolution as it is and instructing the City Clerk to transmit the resolution to all other municipalities and the Miami-Dade County Commission with an

expression of the concern of this Commission, so far as the City is concerned, with the impact this will have on Miami Beach.

Commissioner Gross asked Jorge Gonzalez, City Manager, if he had met with the people in charge of the Flagstone development and if they have a plan, if the City has an opportunity for input in that process.

Jorge Gonzalez, City Manager, stated that Mayor Dermer and he met with Mayor Diaz and the City of Miami's City Manager, and the City of Miami Beach provided the appropriate comments via the DRI process, but they are still conceptual on this plan. The meeting was not very fruitful and basically they are going to do whatever they decide to do.

Christina Cuervo, Assistant City Manager, explained that the City of Miami amended the Downtown DRI and they expanded the same number of trips to include the Watson Island area, but they did not increase the number of trips. By doing it this way, there is no increase in density.

Commissioner Gross suggested that the City calendar the date when the Flagstone project goes for a Major Use Special Permit for the City of Miami Beach to be present at that hearing.

Mayor Dermer stated that he is happy to appear publicly and asked the Commissioners if they care to do the same or send letters of sentiment telling them that this will affect the residents of Miami Beach.

Mayor Dermer announced that Minnette Benson submitted a letter stating that she, as Chairman of the Concurrence Board, is in favor of this.

Stuart Reed spoke.

Bea Kalstein spoke.

Handouts or Informational Materials:

1. Letter from Minnette Benson to Mayor Dermer and Commissioners, dated October 14, 2003 RE: Revision of my previous fax: 10/14/03 concerning agenda item R9C.

**4:52:24 p.m.**

R9D Discussion Re: Ordinance Creating The Ocean Rescue/Beach Safety Department.  
(Requested By Commissioner Cruz)

**ACTION: Discussion held.**

Motion made by Commissioner Cruz to refer the issue to the Community Affairs Committee; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith. Mayra Diaz Buttacavoli to place on the agenda.

Commissioner Cruz stated that the lifeguards and the Administration are at an impasse situation since they cannot go into the Fire Department and they want to be a separate department. He explained that the President of CWA, Richard McKinnon, requested that based on the City Charter, an Ordinance can be prepared by the City Commission to make the Ocean and Rescue a separate department.

Richard McKinnon, CWA President, spoke.

Jorge Gonzalez, City Manager, corrected the record by stating that at Finance and Citywide Projects Committee and during the budget process, the focus was more on developing a long term plan for providing more safety on our beaches. The clear direction was how the City is going to enhance the level of service provided. He stated that he met with Mr. McKinnon and this issue was discussed as

well as the issue of organizational placement, and he left Mr. McKinnon with two questions; 1) What is the desired outcome, and 2) How best to accomplish it. Instead, what is being done is very unusual, because this ordinance essentially says to create a department and have that department report to the City Manager, and there is no ordinance like that for any other department. He stated that he spoke to Mr. McKinnon and told him that he did not agree with the ordinance. He emphasized that the two questions are still unanswered; what is it that Mr. McKinnon is trying to accomplish? Is it increased services on the beach? Is it more professional services on the beach? More lifeguards or more lifeguard stands on the beach? More training? He left the dialogue open with Mr. McKinnon. He does not know what the desired outcome is because he still has not heard that from Mr. McKinnon or from the Commission. He also asks how this ordinance is going to accomplish the desired outcome that cannot be accomplished today under the current organization. He explained that creating a department in this manner does not accomplish the desired outcome. He stated that if the outcome is more lifeguards, more stands, more training, etcetera, this can be accomplished simply by adding more money to the budget.

Commissioner Gross stated that the issue is not money, but taking the issues they have more seriously. At this time, the lifeguards report to the Parks and Recreation Department and this Department does not have the safety sentiment that they would like them to have. He stated that the change they want is to be taken more seriously, to have their issues responded directly by the City Manager rather than going through the Parks Director. He also stated that the reality is that the relationship between the Union and the City Manager is very strained and by making them a separate department is not going to make it better. He explained that the issue is how to make the relationship better and to get a dialogue going.

**Motion made by Commissioner Cruz to refer the issue to the Community Affairs Committee; seconded by Commissioner Gross; Voice vote: 6-0; Absent: Commissioner Smith.** Mayra Diaz Buttacavoli to place on the agenda.

R9E Discussion On The Settlement Agreement Between The Royal Palm Hotel And The City Of Miami Beach.

(Requested By Commissioner Cruz)

**ACTION: Item deferred.**

**3:56:45 p.m.**

R9F1 Referral To The Finance And Citywide Projects Committee Of The Establishment Of A Dedicated Source Of Funding For The Cultural Arts Council.

(Requested By Commissioner Cruz)

**ACTION: Heard in conjunction with Item R9F2. Discussion held. Item referred.** Motion made by Vice-Mayor Bower to refer this item to the Finance And Citywide Projects Committee; seconded by Commissioner Cruz; Voice vote: 6-0; Absent: Commissioner Smith. Patricia Walker to place on the agenda and to handle. Donna Shaw to handle.

**3:56:48 p.m.**

R9F2 Discussion Regarding Alternative Funds For The Cultural Arts Council.

(Requested By Commissioner Bower)

**ACTION: Heard in conjunction with Item R9F1. See action R9F1.**

R9G Discussion Regarding Resolutions Relating To City's Commission Committees.  
(Requested By Commissioner Smith)

**ACTION: Item deferred.** Lilia Cardillo to place on November 25 agenda.

R9H Discussion And Status Report On The Normandy Shores Park And Youth Center.  
(Requested By Commissioner Smith)

**ACTION: Item deferred.** Lilia Cardillo to place on November 25 agenda.

**2:54:23 p.m.**

R9I Status Report On Wayfinding Signage Project.  
(Planning Department)

**ACTION: Item referred. Discussion held.** Item referred to the Community Affairs Committee for review and community input. Mayra Diaz Buttacavoli to place on the agenda. Jorge Gomez to handle.

Commissioner Steinberg requested community input.

Vice-Mayor Bower stated that the Homeowners Association, the cultural associations and others should be advised of this meeting for input.

**6:22:45 p.m.**

**Addendum item:**

R9J Discussion Regarding The Traffic Situation on La Gorce and Pinetree Drive.  
(Requested by Commissioner Smith)

**ACTION: Discussion held.**

Bruce Reich, President of La Gorce and Pine Tree Drive Homeowners Association, spoke.

Jorge Gonzalez, City Manager, stated that this is a project with a long history; it was a County Project that was handed to the City. He explained that the City has added \$470,000 from Mid-Beach Quality of Life funds to the landscaping and the lighting, but when this project went to bid and based on the designed it was under funded. There is enough money to do all of the landscaping on all of the islands as designed, as well as lay out junction boxes and conduit in the islands so that if additional funding is found at a later date, the lights can be installed. The City needs to find another \$450,000 to do the lighting for this project to be fully funded. He cautioned the Commission because both Fire Stations due to be bid out are under funded, as well as the Youth Center and numerous other projects.

Commissioner Cruz stated that he does not understand why the City goes ahead with a project which is under funded and at some point in time cannot continue it until it has all the funds. He stated that the City should not start another project unless all of the funding is available because it becomes an issue of credibility.

Jorge Gonzalez, City Manager, stated that the history has been for the Administration to find the money.

Commissioner Cruz stated that the Administration should not start a project until funding is available, and further stated that at some point the Administration needs to say to "a very spoiled Commission" that it will not start a project and find the moneys later to finish it because this is not financially the proper thing to do.

Jorge Gonzalez, City Manager, stated that he has a list of "go find the money type of list" and it starts with the two Fire Stations and this is a priority of the Commission and these projects are under funded.

He explained that approval was given for negotiations with the Washington Avenue Streetscape, the Miami Beach Golf Club, Car Barn, Normandy Isle Park, Normandy Isle Shores Golf Course, Lummus Park, and North Shore Park to a total of \$27 million. He is asking guidance from the Commission as to how to prioritize this list.

Commissioner Cruz asked Jorge Gonzalez, City Manager, when did he ask the Commission to prioritize the projects.

Jorge Gonzalez, City Manager, explained that this has been to the Finance and Citywide Projects Committee.

Commissioner Steinberg stated that the direction of the Finance and Citywide Projects Committee was to bring it to the entire Commission.

Jorge Gonzalez, City Manager, added that this was brought to Commission twice.

Commissioner Steinberg requested the Administration to bring item again, because only the City Manager and Commissioner Smith were at that meeting, and this is something the entire Commission needs to understand and know about because of its importance. He further asked if anyone had looked at solar power lighting.

Mauro Burgio, Senior Capital Projects Coordinator, explained that this question was asked, and the consultant opined that the solar power lights would not provide the level of lighting that the community desires.

Vice-Mayor Bower asked what level of lighting is desired that solar power cannot provide.

Mauro Burgio, Senior Capital Projects Coordinator, explained that solar lights are not very bright or reliable.

Commissioner Steinberg suggested the use of reflectors until the funding is found for the lighting. He also asked Mr. Reich the Association's opinion on the reflectors that were installed on the bumps.

Bruce Reich stated that the reflectors on the speed bumps are safe.

Commissioner Garcia stated that he is taking the City Manager's side on this issue because the City Commission has been told over and over that the G. O. Bond issue is overspent. He agrees that the City needs to prioritize what is more important; the lights or the landscaping. In his opinion, the lights are more important.

Murray Dubbin, City Attorney, stated that the Commission has discussed the issue of life threatening situations and the danger to drivers at length and urges that whatever is decided on be installed as soon as possible, to protect the citizens and the City from liability cases.

Commissioner Gross stated, for the record, that on the safety issue, a year ago the Administration was asked to look at whether the street was safer with or without the street island, and also the Homeowners Association was asked to come back and share their opinions. The homeowners did not want to have the islands removed, and the Administration announced that there were fewer fatalities since the islands were introduced. He further stated that the testimony on the floor is that the streets have been made safer since the introduction of the islands. He stated that the question is, would they be made unsafe by the introduction of landscaping without accent of lighting, and what is the testimony to support that since they are safer now?

Bruce Reich stated that there have not been fatalities but they are unsafe because drivers drive their cars across the median and damage the bottom of their vehicles.

Jorge Gonzalez, City Manager, requested to be allowed to proceed with the landscaping, the junction boxes and the connections, and to place some reflectors and the remainder of the project on the list, according to priority, for finding additional funds.

Bruce Reich requested that this item be placed on a list as a safety priority rather than aesthetic priority.

**New Item:**

**Announcement:**

Mayor Dermer stated that the meeting of November 5, 2003 for election related issues will start at 11:00 a.m.

**10:53:06 a.m.**

**Addendum item:**

R9K Discussion Regarding Ordinance Amending City's Policy on Alcoholic Beverage Licenses At Adult Entertainment Establishments.

(Requested By Commissioner Cruz)

**ACTION: Item was not added to the agenda.** Motion made by Vice-Mayor Bower to add item R9K as an emergency item to the agenda; seconded by Commissioner Cruz. Discussion held. Vice-Mayor Bower withdrew her motion. **Item was not added to the agenda.**

**R10 – City Attorney Reports****R10A Executive Session**

Pursuant to Section 286.011, Florida Statutes, a Closed Executive Session will be held during lunch recess of the City Commission meeting on October 15, 2003 in the City Manager's large conference room, Fourth Floor, City Hall, to discuss pending litigation on the following cases:

West Side Partners, Ltd., a Florida limited partnership; East Coastline Development, Ltd., a Florida limited partnership; 404 Investments, Ltd., a Florida limited partnership; Azure Coast Development, Ltd., a Florida limited partnership; Beachwalk Development Corporation, a Florida corporation; Portofino Real Estate Fund, Ltd., a Florida limited partnership; St. Tropez Real Estate Fund, Ltd., a Florida limited partnership; and Sun & Fun, Inc., a Florida corporation, vs. City of Miami Beach, a Florida municipal corporation. Eleventh Judicial Circuit, General Jurisdiction, Case No. 98-13274 CA-30.

East Coastline Development, Ltd., a Florida limited partnership vs. City of Miami Beach, a Florida municipal corporation. Circuit Court of the Eleventh Judicial Circuit of Florida, General Jurisdiction Division, Case No. 01-26231 CA 32 (removed to US Dist. Court, So. Dist. of Fla. Case No. 01-4921 CIV-MORENO)

East Coastline Development, Ltd., a Florida limited partnership, and Catherine F. Colonnese, a registered voter in the City of Miami Beach, Florida, vs. City of Miami Beach, a Florida municipal corporation. Circuit Court of the Eleventh Judicial Circuit of Florida, General Jurisdiction Division, Case No. 01-25812 CA 30 (on Appeal in Third District Court of Appeal Case No. 3DOI-3350)

The following individuals will be in attendance: Mayor David Dermer; Members of the Commission: Matti H. Bower, Simon Cruz, Luis R. Garcia Jr., Saul Gross, Jose Smith and Richard Steinberg; City Attorney Murray H. Dubbin, City Manager Jorge Gonzalez, Chief Deputy City Attorney Donald M. Papy, First Assistant City Attorney Debora Turner, First Assistant City Attorney Gary Held, Special Counsels Richard Ovelmen and Dan Paul.

**ACTION: Announced and held.**

**Reports and Informational Items**

- A. Parking Status Report.  
(Parking Department)

**ACTION: Written report submitted.**

- B. Status Report On The Rehabilitation Project Of The Existing Building And The Addition To Fire Station No. 2.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

- C. Status Report On The General Obligation Bond Funded Project For The Rehabilitation Of Fire Station No. 4.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

- D. Status Report On North Shore Park And Youth Center.  
(Capital Improvement Projects)

**ACTION: Written report submitted.**

- E. Informational Report To The Mayor And City Commission, On Federal, State, Miami-Dade County,  
And All Existing City Contracts For Renewal Or Extensions In The Next 180 Days.  
(Procurement)

**ACTION: Written report submitted.**

- F. Non-City Entities Represented By City Commission:  
Miami-Dade Homeless Trust Board Meeting Minutes Of August 1, 2003.  
(Requested By Commissioner Steinberg)

**ACTION: Written report submitted.**

**End of Regular Agenda**



**Miami Beach Redevelopment Agency  
Commission Chambers, 3rd Floor, City Hall  
1700 Convention Center Drive  
October 15, 2003**

Chairman of the Board David Dermer  
Member of the Board Matti Herrera Bower  
Member of the Board Simon Cruz  
Member of the Board Luis R. Garcia, Jr.  
Member of the Board Saul Gross  
Member of the Board Jose Smith  
Member of the Board Richard L. Steinberg

Absent

Executive Director Jorge M. Gonzalez  
Assistant Director Christina M. Cuervo  
Assistant Director Mayra Diaz Buttacavoli  
General Counsel Murray H. Dubbin  
Secretary Robert E. Parcher

**AGENDA**

1. ROLL CALL

2. OLD BUSINESS

- A Report of the Itemized Revenues and Expenditures of the Miami Beach Redevelopment Agency for the Month Of August 2003.

**ACTION: Written report submitted.**

**11:19:41 a.m.**

3. NEW BUSINESS

- A. A Resolution Of The Chairman And Members Of The Miami Beach Redevelopment Agency, Authorizing The Executive Director, Or His Designee To Select, Negotiate, Award And Reject All Bids, Contracts, Agreements, Purchase Orders, Change Orders And Grant Applications; Renew Existing Contracts Which May Expire; Terminate Existing Contracts As Needed; From The Last Commission Meeting On October 15, 2003, Until The First Regularly Scheduled Commission Meeting In November 25, 2003, Subject To Ratification By The City Commission At Its First Regularly Scheduled Meeting In November 25, 2003. **Joint City Commission And Redevelopment Agency.**

**ACTION: Heard in conjunction with item R7J. Resolution No. 461-2003 adopted.** Motion made by Vice-Mayor Bower; seconded by Commissioner Gross; Ballot vote: 6-0; Absent: Commissioner Smith. Christina Cuervo and Gus Lopez to handle.

- B. Status Report On The Negotiations Between The City Of Miami Beach, The Miami Beach Redevelopment Agency and RDP Royal Palm Hotel Partnership ("RDP").

**ACTION: Item deferred.**

**End Of RDA Agenda**

Meeting adjourned at 6:50:55 p.m.